

JERRY McNERNEY  
11TH DISTRICT, CALIFORNIA

COMMITTEES:  
SCIENCE, SPACE, AND  
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**Congress of the United States**  
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May 4, 2011

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MSS

Chairman Julius Genachowski  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski,

I am writing to bring your attention to concerns about a conditional waiver that was recently approved by the Federal Communications Commission (FCC) on behalf of the LightSquared company. The spectrum that was repurposed for LightSquared is directly adjacent to that utilized by the Global Positioning System (GPS) and is to be used for high-powered ground-based transmissions. Many companies have expressed their concerns about this repurposing, including TopCon Positioning in Alameda County, which employs constituents residing in my Congressional district.

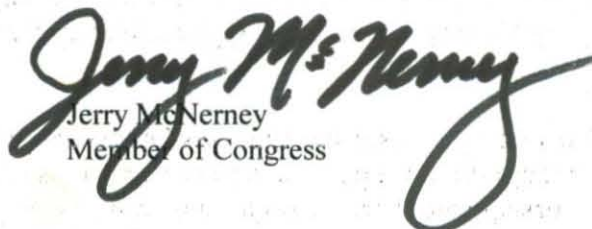
I have heard concerns from many companies that utilize GPS signals to produce applications used in a myriad of fields, including satellite design, software engineering, and telecommunications development. These applications are used by industry and government agencies alike.

Many companies rely on GPS signals, which are weak. Any interference with these signals can cause their failure, and LightSquared's signals are vastly more powerful than GPS signals. It is my understanding that LightSquared did not go through the normal process for spectrum reallocation, which involves interference studies. GPS users are understandably concerned that granting a final waiver to LightSquared without considering interference to adjacent spectrum could potentially cause serious damage to their businesses.

I request that you require an objective, comprehensive interference study before granting a final waiver to LightSquared in order to make sure that GPS signals are fully protected. It is crucial to TopCon and many other employers that the spectrum reallocation rules administered by the FCC are applied fairly and sensibly so that all businesses receive equitable treatment. I believe that a mutually beneficial solution to this issue can be found to the satisfaction of all stakeholders.

Thank you for keeping my concerns in mind as you make a final ruling.

Sincerely,

  
Jerry McNerney  
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Gerald "Jerry" M. McNerney  
U.S. House of Representatives  
1210 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman McNerney:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

As I have stated previously to Congress, the Commission will not permit LightSquared to begin commercial service without first resolving concerns about potential widespread harmful interference to GPS devices.

The current interference concerns are significant, and we have taken them very seriously. The FCC has proceeded in an open, thorough, and fair way, and we will continue to operate in this manner. On June 30, 2011, the Commission issued a Public Notice inviting comment on the final report of the technical working group established as a condition of the January Waiver Order. The Commission, in consultation with NTIA, has been reviewing the report's findings and established a public comment cycle to give parties further opportunities to present their views on LightSquared's revised proposal to operate only on the lower portion of its spectrum and on the report. The public comment cycle closed on August 15, 2011. I assure you that we will consider thoroughly all submissions received in response to the Public Notice.

Finding additional spectrum for innovative wireless services has been the source of tremendous growth for our country, and its potential to create jobs and drive the economy for the foreseeable future is substantial. I look forward to working with you and your colleagues to ensure that we use this precious resource wisely, and that we maximize the economic, public safety and national security potential it affords us.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over a horizontal line.

Julius Genachowski